

REMARKS

Upon entry of the present amendment, claims 1-2 and 5-10 will remain pending in the above-identified application and stand ready for further action on the merits. Claims 1-2 and 5-8 have been amended. Claims 3-4 have been cancelled. New claims 9-10 have been added.

The present amendments to the claims do not introduce new matter into the application as originally filed. For example, claims 1, 2, and 6-9 have been amended to further clarify the present invention. Claim 5 has been rewritten into independent form: the amendment thereto finds support claims 3, 4 and the description at page 5, lines 18-19 of the specification. New claims 9 and 10 is based on the disclosure at page 4, lines 17-19 of the specification.

Accordingly, proper consideration of each of the pending claims is respectfully requested at present, as is entry of the present amendment.

35 USC § 112, 1st Paragraph Rejection

Claims 1-8 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement in the outstanding Office Action.

Applicants respectfully traverse and request that the Examiner withdraw this rejection based on the following considerations.

The Examiner states that the phrase "if necessary," which was found in previous claims 1 and 2, is not clear and that it cannot be determined when it is necessary to adjust the pH to 4.5-7.0, at page 2, lines 10-17 of the Office Action.

However, the phrase "if necessary" has been canceled and the term "optionally" has been employed in claims 1 and 2, respectively, so as to further clarify the present invention. Further,

the instant specification specifically explains about advantages of adjusting the pH in the range of 4.5-7.0 at page 4, lines 17-19 and page 5, lines 6-23.

Thus, Applicants respectfully submit that "undue experiments" are not needed for one skilled in the art to make or use the claimed invention from such descriptions of the instant specification.

Further, regarding claim 3, the Examiner states that one skilled in the art does not know what step to reduce the content.

However, in the present amendment, claim 3 has been canceled.

Thus, this rejection has been overcome.

Accordingly, upon entry of the present amendment, this rejection has been overcome. Applicants respectfully request that the Examiner withdraw this rejection.

35 USC § 112, 2nd Paragraph Rejection

Claims 1-8 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite in the outstanding Office Action.

Applicants respectfully traverse and request that the Examiner withdraw this rejection based on the following considerations.

Claims 1 and 2

In claims 1 and 2, as explained above, the phrase "if necessary" has been deleted, respectively, so as to further clarify the present invention.

Further, in claims 1 and 2, the term "the resultant fish sauce" has been changed to the term "a resultant fish sauce," respectively.

Further, in claim 2, "the fish sauce" changed to "the treated fish sauce" to further clarify the present invention.

Claims 3 and 4

Claims 3 and 4 have been canceled in the present amendment.

Thus, this rejection has been overcome.

Claim 5

In the currently amended claim 5, the issues of "the said," "weal alkalinity," and lack of antecedent basis of "the raw material" have been removed, respectively.

Accordingly, upon entry of the present amendment, this rejection has been overcome. Applicants respectfully request that the Examiner withdraw this rejection.

Claim Rejections - 35 U.S.C. § 102(b) and § 103 (a)

In the office action, at pages 3-5, claims 3 and 8 have been rejected under 35 USC § 102(b) as being anticipated by Tsutomu JP '664 (JP 11004664). Further, claims 3 and 8 have been rejected under 35 USC § 102(b) as being anticipated by Kameda JP' 563 (JP 5064563). Further, claim 4 have been rejected under 35 USC § 103(a) over as being obvious over Kameda JP' 563.

Applicants respectfully traverse and request that the Examiner withdraw these rejections based on the following considerations.

In the present amendment, claims 3 and 4 have been canceled; claim 8 has been amended so as to depend from claim 5 or 7. Please note that claim 5 has been rewritten into independent form; and claim 7 depends from claim 6, which depends from independent claim 5.

Thus, this rejection has been overcome.

Accordingly, applicants respectfully request that the Examiner withdraw this rejection.

Allowable Subjects Matter/Objection

At page 5, lines 4-5 of the Office Action, the Examiner states that claims 1-2 are free of prior art because none of the prior art discloses the steps as claimed.

Further, the Examiner also states claims 5-7 would be allowable if the claims are rewritten in independent form including the limitations of based claim.

As explained above, all the outstanding rejections have been overcome upon entry of the present amendment.

Thus, all pending claims has been in condition for allowance.

IDS (Information Disclosure Statement)

At page 5, lines 10-13 of the Office Action, the Examiner states that FR 2253466, JP 03-047051 and Shimoda et al. were not considered.

However, based upon our review of the file and the USPTO's PAIR database, we have determined that Shimoda et al. was previously submitted.

Therefore, Applicants respectfully request that the Examiner consider the Shimada reference. For assistance of the Examiner, a copy thereof has been attached hereto.

CONCLUSION

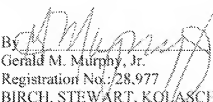
Based upon the amendments and remarks presented herein, the Examiner is respectfully requested to issue a Notice of Allowance clearly indicating that each of the pending claims (i.e., claims 1-2 and 5-10) are allowed under the provisions of Title 35 of the United States Code.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gerald M. Murphy, Jr. (Reg. No. 28,977) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 
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